July RESTATED ORDER OF THE CHIEF MEDICAL OFFICER OF HEALTH UNDER SECTION 32 of the *HEALTH PROTECTION ACT* 2004, c. 4, s. 1.

July 3, 2020

TO: 1.) All persons residing in or present in the Province of Nova Scotia;

2.) All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia;

3.) Such other persons or entities as may be identified by the Chief Medical Officer of Health or otherwise as set out in this Order.

ORDER made pursuant to Section 32 of the *Health Protection Act* (Nova Scotia)

AND WHEREAS Section 32 of the *Health Protection Act* states:

> **32 (1)** Where a medical officer is of the opinion, upon reasonable and probable grounds, that:
>
> > (a) a communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease;
> >
> > (b) the communicable disease presents a risk to the public health; and
> >
> > (c) the requirements specified in the order are necessary in order to decrease or eliminate the risk to the public health presented by the communicable disease.

the medical officer may by written order require a person to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

WHEREAS COVID-19 has been identified as a communicable disease that presents a risk to public health as defined under s.4(b) of the *Health Protection Act*, and;

WHEREAS I am the Chief Medical Officer of Health for the Province of Nova Scotia and am of the opinion, upon reasonable and probable grounds, that

> (a) a communicable disease (COVID-19) exists; and that there is an immediate risk of an outbreak of the communicable disease;
>
> (b) the communicable disease presents a risk to the public health; and
>
> (c) the requirements specified in the order are necessary to decrease or

eliminate the risk to the public health presented by the communicable disease, and;

WHEREAS as the Chief Medical Officer of Health, I have determined it necessary to issue this Order to the Class of Persons to decrease the risk to public health presented by COVID-19.

Please be advised that:

I, Dr. Robert Strang, Chief Medical Officer of Health, **order** the following:

PART I
ISOLATION AND QUARANTINE REQUIREMENTS

1. In this Order,

(a) “self-isolate” means the requirement of any person who has COVID-19 to remain separate from others in such places and under such conditions to prevent or limit the direct or indirect transmission of COVID-19; and

(b) “self-quarantine” means the requirement of any person who has been exposed or may have been exposed to COVID-19 during its period of communicability to restrict that person’s activities in order to prevent disease transmission during the incubation period for this disease.

2. Effective July 3, 2020, all persons residing in or present in the Province of Nova Scotia who:

2.1 have travelled outside the Atlantic Provinces or Canada must self-isolate or self-quarantine, as the case may be, in accordance with section 2.4(a) to (d) on the day you return to or enter Nova Scotia, or

2.2 are identified as a close contact of a person who has or has been diagnosed with COVID-19; or

2.3 are identified as a person diagnosed with COVID-19; or

2.4 have been tested for COVID-19 and are awaiting the results of their test must:

(a) self-quarantine or self- isolate, for:

(i) the period commencing on the day of entry into Nova Scotia, or
(ii) the first day of close contact, or first day of symptoms, testing, or diagnosis, and continuing thereafter for 14 consecutive days or as directed by a Medical Officer of Health.

For greater certainty, this includes remaining in your residence or residence grounds and otherwise removing yourself from the presence of others in public while you may be infectious during the 14-day period, so that all precautions necessary to protect others are in place. Specifically, do not enter any buildings, public transportation, or other enclosed spaces (other than your residence) where other people are present.

(b) During the 14-day period, conduct yourself in such a manner as not to in any way expose any other person to infection or potential infection from COVID-19, and follow all infection control instructions given to you on the Government of Nova Scotia's website, at: https://novascotia.ca/coronavirus/, or given to you by Telehealth 811 staff, public health staff or any other staff of a healthcare facility to which you may seek or receive treatment.

(c) After the 14-day period in section 2.4(a.) has lapsed, you may cease self isolation or self quarantine if you do not exhibit symptoms of COVID-19.

(d) All persons are encouraged to contact Public Health via Telehealth 811 should you exhibit symptoms of COVID-19.

2.5 Notwithstanding section 2.1, persons who are well and showing no symptoms of COVID-19 may enter Nova Scotia for the purposes of facilitating child sharing between parents under an order or agreement providing for joint custody, and in such instances, both the parents and children showing no symptoms of COVID-19 are exempt from the requirement to self-quarantine or self isolate.

2.6 Notwithstanding section 2.1, individuals who are well and showing no symptoms of COVID-19 and are engaged in a legal proceeding in Nova Scotia, whether the accused, victim, witness or party in such proceeding, may enter Nova Scotia for participation in the legal proceeding if the person:

(a) self-isolates/self-quarantines for the period they are in Nova Scotia other than when they are in court; and

(b) complies with the physical distancing requirements of 2 metres (6 feet) while in Nova Scotia.

2.7 An employer or contractor of any Temporary Foreign Worker entitled to enter Nova Scotia pursuant to the Federal Order in Council 2020-0184, 2020-0185 and Interim Order No.3, must first, before the Temporary Foreign Worker enters Nova Scotia, satisfy me, as Chief Medical Officer of Health, that the employer or contractor has made adequate provision for compliance with:

(a) the federal quarantine rules applicable to the Temporary Foreign Worker; and

(b) the self-quarantine requirements set out in section 2.4 of this Order.

2.8 In addition, the employer or contractor and the Temporary Foreign Worker must, for the duration of the entire work period in Nova Scotia:

(a) adhere to all applicable terms and conditions of this Order; and

(b) comply with any direction issued by me, as Chief Medical Officer of Health, or a Medical Officer of Health with respect to the Temporary Foreign Worker and their employment in Nova Scotia.

3. Workers who are essential to the movement of people and goods are exempt from the requirement to self-isolate or self-quarantine set out in section 2.1, particularly:

(a) healthy workers in the trade and transportation sector who are employed in the movement of goods and people across the Nova Scotia border by land, air, or water, including truck drivers, crew, maintenance and operational workers on any plane, train or food production plants;

(b) people travelling into Nova Scotia for essential health services and one accompanying support person;

(c) Canadian military personnel, Coast Guard and RCMP; and

(d) first responders, including police, fire and EHS paramedic workers.

4. Workers exempt under section 3 must practice physical distancing of two metres (six feet) to the best of their ability, follow all public health recommendations, closely self-monitor and must self-isolate or self-quarantine should they exhibit any COVID-19 symptoms as set out in the 811 online assessment.

PART II
PHYSICAL DISTANCING
AND
GATHERING LIMITS

5.1 All persons present and residing in Nova Scotia must maintain physical distancing of two metres (six feet).

5.2 Subject to the specific exceptions set out in sections 5.5.1 and 5.5.2, all persons present and residing in Nova Scotia must not participate in any gatherings of persons greater than 50, whether indoors or outdoors.

5.3 Notwithstanding section 5.1 and section 5.2:

(a) family members living in the same household are not required to practice physical distancing; and

(b) individuals may gather together in social groups of up to 10 persons per group without adhering to the physical distancing requirements of two metres or six feet.

5.4 Effective July 3, 2020, persons may engage in the following events or activities indoors or outdoors, while adhering to a maximum of 50 persons in attendance:

(a) social events;

(b) arts and culture events;

(c) sports and physical activity;

(d) weddings and funerals, and other faith gatherings;

and all persons in attendance must practice physical distancing, except persons residing in the same household or social groups of up to 10 persons adhering to section 5.3(b).

5.5 Notwithstanding sections 5.1 and 5.2, where any of the following activities are held by an existing business or organization legally operating in Nova Scotia:

(a) social events;

(b) arts and culture events;

(c) sports and physical activity;

(d) weddings and funerals, and other faith gatherings;

(e) festivals;

(f) special events,

then:

5.5.1 the business or organization may host up to 50% of legal capacity of the indoor establishment in which the activity is held, to an overall maximum of 200 persons; or

5.5.2 the business or organization may host up to a maximum of 250 persons if the event is outdoors,

and all persons in attendance practice physical distancing, except persons residing in the same household or social groups of up to 10 persons adhering to section 5.3(b).

5.6 Any business or organization that hosts an activity authorized by section 5.5 is responsible for maintaining oversight of the gathering and for ensuring that all persons in attendance comply with the requirements of this Order.

5.7 For greater clarity, physical distancing and the person limit rule set out in sections 5.1 and 5.2 do not apply to the following organizations, activities, persons, or places:

(a) hospitals as defined in the *Hospitals Act* and a health authority as defined in the *Health Authorities Act*;

(b) profit, not-for-profit or government operated Department of Community Services funded organizations or representatives that are covered under the *Homes for Special Care Act* and the *Children and Family Services Act* including places of safety for children and youth, and customized placements for persons with disabilities;

(c) profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* or home care agencies funded under the *Homemaker Services Act*;

(d) persons providing care under the self-managed care program, supportive care program, caregiver benefit program funded by the province of Nova Scotia;

(e) persons providing support under the Independent Living Support, Supported Apartment and Supervised Apartment Programs funded by the Department of Community Services.

(f) homeless shelters receiving operational grants from the Department of Municipal Affairs and Housing, and those operated by religious and other voluntary organizations;

(g) unlicensed child-care facilities;

(h) a place designated or established under the authority of the *Correctional Services Act* or the *Youth Criminal Justice Act* (Canada) for the supervision or custody of offenders and includes community-based correctional services;

(i) any court operating essential services in the Province under the authority of any provincial or federal enactment, including but not limited to, a justice centre or courthouse under the authority of the *Judicature Act* or a provincial court under the authority of the *Provincial Court Act* or the *Family Court Act*;

(j) Emergency Medical Care Incorporated;

(k) persons providing, servicing or repairing medical equipment, such as wheelchairs, red cross beds/equipment, home oxygen equipment;

(l) private not-for-profit community transportation providers;

(m) food production plants; and

(n) fishing vessels.

5.8 Physical distancing requirements and the person limit set out in sections 5.1 and 5.2 do not apply to the following municipal entities and their contractors:

(a) Police and Fire Services;

(b) Municipal Utilities such as water, wastewater and stormwater;

(c) Maintenance of utilities and municipal facilities;

(d) Transportation;

(e) Road maintenance/repair;

(f) Municipal ICT systems and services;

(g) Public Transit;

(h) Solid Waste, garbage and litter collection and disposal;

(i) Urban Forestry; and

(j) Municipal logistic, distribution, storage, inventory and repair services.

5.9 Physical distancing requirements and the person limit rule set out in sections 5.1 and 5.2 do not apply to the following provincial entities and their contractors:

(a) Transportation and Infrastructure Renewal;

(b) Road maintenance/repair; and

(c) Government building construction and/or repair.

5.10 Effective May 1, 2020, religious services may be conducted in drive-up or parking lot settings provided persons adhere to the following conditions:

(a) the service is conducted over speakers or by remote radio broadcast;

(b) there is no contact between cars and no transfer of any things such as communion or collection baskets between cars;

(c) participants remain in their respective vehicle while “attending” the service; and

(d) participants practice physical distancing among vehicles, such that vehicles must be at least two metres or six feet apart from each other.

5.11 Effective June 5, 2020 gatherings for sleep over summer camps are cancelled for the remainder of 2020.

PART III
LONG TERM CARE FACILITIES
AND
OTHER VULNERABLE POPULATIONS

6.1 Effective June 15, 2020,

(a) all long term care facilities licensed by the Department of Health and Wellness and all Adult Residential Centers and Regional Rehabilitation Centers licensed by the Department of Community Services under the *Homes for Special Care Act* are open to visitors in accordance with the terms and conditions set out in Schedule "A", "COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health", dated April 6, 2020, as amended from time to time and located at: https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf;

(b) all homes licensed by the Minister of Community Services for persons with disabilities under the *Homes for Special Care Act* not referred to in section 6.1(a) are open to visitors in accordance with the terms and conditions set out in the "Disability Support Program Visitor Guidelines" dated June 12, 2020, and as amended from time to time; and

(c) except in exceptional circumstances, movement of residents in all long term care facilities and all homes licenced by the Minister of Health and Wellness under the *Homes for Special Care Act* is restricted to the facility/home and the grounds of the facility/home.

6.2 Effective June 24, 2020 all residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* are permitted to have community access in accordance with the terms and conditions set out in Schedule "A".

6.3 For greater clarity, nothing in this Order prevents the:

(a) discharge of a COVID-19 patient from a hospital to a long-term care or residential care facility;

(b) transfer of a COVID-19 patient from community to a long-term care or residential care facility; or

(c) return of a COVID-19 patient who has left a long-term care or residential care facility for healthcare services back to that facility after receiving treatment at a hospital.

6.4 Notwithstanding section 5.7 (b) and (c) and subject to section 6.1, all for-profit or not-for-profit Department of Health and Wellness funded long-term care facilities licensed under the *Homes for Special Care Act* and all Adult Residential Centers and Regional Rehabilitation Centers funded and licensed by the Department of Community Services under the *Homes for Special Care Act* must comply with the "COVID-19 Management Long term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health", dated April 6, 2020, attached hereto as Schedule "A" and as updated from time to time.

6.5 Effective June 15, 2020, all day care facilities and family day care homes regulated under the *Day Care Act* centers:

(a) may open;

(b) are exempt from the physical distancing requirements set out in section 5.1;

but

(c) must adhere to the COVID-19 Guidance for Child Care Settings, dated June 5, 2020.

PART IV
BUSINESSES, ORGANIZATIONS AND PROFESSIONS

7.The *Occupational Health and Safety Act*, 1996, c.7, s.1, is hereby incorporated by reference and must be followed by all employers, contractors, constructors, suppliers, owners and employees and each shall take every precaution that is reasonable in the circumstances to ensure the health and safety of all persons at or near a workplace.

8. Subject only to specific closures or limitations directed elsewhere in this Order, all not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia may continue to operate but must implement physical distancing of two metres or six feet within all workplaces, except where otherwise provided in this Order.

9. Any not-for-profit or for-profit business or organization carrying on business in Nova Scotia that cannot maintain the physical distancing requirements set out in section 5.1 of this Order must limit the number of customers or clients on its premises to no more than 10 persons at a time.

10. For greater clarity, the person limit rule referred to in section 5.2 does not apply to:

(a) businesses and organizations who can regularly maintain physical distancing requirements, including without limitation, grocery stores, pharmacies, gas stations, convenience stores, construction sites, financial institutions, agri-food and fish plants, and registered farms defined by the *Farm Registration Act*; and

(b) Canadian Blood Services blood collection clinics.

11. Subject to section 13, effective June 26, 2020:

(a) all restaurants may offer in-person dining service to a maximum of full legal capacity of the restaurant provided the operator:

(i) maintains a minimum physical distance of 2 metres (6 feet) or a physical barrier between tables, booths and single seats;
(ii) no group of patrons shall have more than 10 persons at a table;
(iii) ceases service to customers effective midnight; and
(iv) ensures premises are vacated by patrons no later than 1:00am.

(b) all liquor licensed establishments, including liquor manufacturers (as defined in the *Liquor Control Act*) may operate at full licenced capacity provided the licensee:

(i) ensures no group of patrons have more than 10 persons per table;
(ii) maintains a minimum physical distance of 2 metres (6 feet) or a physical barrier between tables, booths and single seats;
(iii) provides food and alcohol consumption only for in-seat service;
(iv) ensures food and alcohol is delivered to the table by staff;
(v) ensures food and alcohol remains at the table;
(vi) ensures patrons comply with the physical distancing requirements set out in section 5.1;
(vii) ceases service to customers effective midnight; and
(viii) ensures premises are vacated by patrons by 1:00 am.

(c) all personal service and fitness establishments such as hair salons, barber shops, spas, nail salons, body art establishments and gyms may operate and must conduct their business operations in accordance with the physical distancing requirements and person limit rule set out in sections 5.1 and 5.2.

12. Subject to Clause 13, effective June 5, 2020:

(a) all self-regulated health professions, may provide in-person services or virtual care services if they:

(i) are authorized to provide this care within their scope of practice; and

(iii) have adopted a compliance plan in accordance with the directions established by their governing college and approved by the Chief Medical Officer of Health;

(b) all unregulated health care providers engaged in private practice may provide in-person or virtual care services within their scope of practice;

(c) all veterinarians, including veterinary surgeons and veterinary physicians engaged in for-profit and not-for-profit practice may provide in-person care to animals as determined by the Nova Scotia Veterinary Medicine Association,

but must comply with the physical distancing and person limit rule as set out in sections 5.1 and 5.2.

13. Effective June 5, 2020:

(a) All not for-profit, for-profit businesses, organizations and professions named in Part IV of this Order shall, as a requirement of their ongoing operations, develop and comply with a Workplace COVID-19 Prevention Plan, as amended from time to time.

(b) In addition to the physical distancing requirements and person limit rule set out in sections 5.1 and 5.2, the Workplace COVID-19 Prevention Plan required by subsection (a) shall address the following:

(i.) how to work and interact with customers;
(ii) physical distancing in the workplace;
(iii) cleaning;
(iv) equipment;
(v) preparing employees to return to work;
(vi) preparing for customers or clients; and
(vii) monitoring and communicating of plan,

and may be substantially similar to those proposals listed in Schedule “B”, located at: https://novascotia.ca/coronavirus/docs/Schedule-B-HPA-Order.pdf for similar businesses or health professionals and must be made available for review by the Chief Medical Officer of Health.

(c) All businesses or health professionals that are a member of an association listed in Schedule “B” may adopt as their Workplace COVID-19 Prevention Plan the proposal submitted by their association and must be made available for review by the Chief Medical Officer of Health.

PART V
EXCEPTIONS

14. Under exceptional circumstances and under the authority granted to me as the Chief Medical Officer of Health under Part I of the *Health Protection Act*, I may exercise discretion to grant an exception to any term and condition of this Order.

PART VI
PENALITIES

15. Any direction provided by a medical officer of health to a person, business, organization or other entity pertaining to COVID-19 and the terms and conditions of this Order must be followed.

16.Failure to comply with this health protection order may be considered a breach of this Order issued under the *Health Protection Act* and may result in penalties under the *Act*.

This Order remains in effect until notice is provided by myself, as Chief Medical Officer of Health, under the authority granted under Part I of the *Health Protection Act* and will be updated from time to time.

Signed:

Dr. Robert Strang,
Chief Medical Officer of Health
Nova Scotia Department of Health and Wellness

cc The Honourable Stephen McNeil, Premier of Nova Scotia
The Honourable Randy Delorey, Minister of Health and Wellness
Laura Lee Langley, Deputy to the Premier and Clerk of Executive Council
Dr. Kevin Orrell, Deputy Minister of Health and Wellness
Dr. Gaynor Watson-Creed, Deputy Chief Medical Officer of Health, Dept. of Health and Wellness
Tina M. Hall, Legal Counsel, Nova Scotia Dept. of Justice